



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| <i>Examiner:</i> | Donald W. Underwood (703) 308-1112 (ph) | |
| <i>Applicants:</i> | Kevin D. Kaschke, Phillip G. Spaniol, and Steven J. Spaniol | |
| <i>Intl. Appl. No.:</i> | PCT/US98/18376 | <i>Docket No.:</i> FT0002R |
| <i>Intl. Filing Date:</i> | 23 October 1998 | <i>Priority Date:</i> None |
| <i>Nat'l. Appln. No.:</i> | 09/830,005 | <i>Group Art Unit:</i> 3652 |
| <i>Nat'l. Filing Date:</i> | 21 April 2001 | |
| <i>Entitled:</i> | Agricultural Bale Accumulator And Method Therefor | |

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November 5, 2009

Amendment and Response

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Responsive to the office action dated May 5, 2009 for the above-identified patent application, the applicant hereby submits the following amendment and response.

1. Application Status.
 - a. Under the present Final Office Action, claims 1-35 are pending in the application. Previously, claims 36-60 have been withdrawn from consideration, without prejudice.
 - b. Claims 1-15 and 17-30 are rejected.
 - c. Claims 16 and 31-35 are objected to.
 - d. Claims 61 and 62 are allowed.
2. Examiner's rejection.
 - a. The examiner rejected claims 1-15 and 17-30 under 35 USC 103(a) as being unpatentable over the known baler system disclosed by the applicants on page 1, lines 22-31 of their specification or in Lundahl, et al. in view of Van Eecke, et al. (U.S. Patent No. 4,955,774) and Vellidus, et al. and Hale, et al.
 - b. The examiner states: "It would also have been obvious to replace the controls in the known baler system or in Lundahl with controls as claimed in view of the automatic controls in